



Sen. Kimberly A. Lightford

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LRB102 04608 CMG 25423 a

1 AMENDMENT TO SENATE BILL 820

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 820 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing  
5 Sections 2-3.186, 2-3.187, 14A-32, and 22-90 as follows:

6 (105 ILCS 5/2-3.186)

7 Sec. 2-3.186. Freedom Schools; grant program.

8 (a) The General Assembly recognizes and values the  
9 contributions that Freedom Schools make to enhance the lives  
10 of Black students. The General Assembly makes all of the  
11 following findings:

12 (1) The fundamental goal of the Freedom Schools of the  
13 1960s was to provide quality education for all students,  
14 to motivate active civic engagement, and to empower  
15 disenfranchised communities. The renowned and progressive  
16 curriculum of Freedom Schools allowed students of all ages

1 to experience a new and liberating form of education that  
2 directly related to the imperatives of their lives, their  
3 communities, and the Freedom Movement.

4 (2) Freedom Schools continue to demonstrate the proven  
5 benefits of critical civic engagement and  
6 intergenerational effects by providing historically  
7 disadvantaged students, including African American  
8 students and other students of color, with quality  
9 instruction that fosters student confidence, critical  
10 thinking, and social and emotional development.

11 (3) Freedom Schools offer culturally relevant learning  
12 opportunities with the academic and social supports that  
13 Black children need by utilizing quality teaching,  
14 challenging and engaging curricula, wrap-around supports,  
15 a positive school climate, and strong ties to family and  
16 community. Freedom Schools have a clear focus on results.

17 (4) Public schools serve a foundational role in the  
18 education of over 2,000,000 students in this State.

19 (b) The State Board of Education shall establish a Freedom  
20 School network to supplement the learning taking place in  
21 public schools by creating a 6-week summer program with an  
22 organization with a mission to improve the odds for children  
23 in poverty that operates Freedom Schools in multiple states  
24 using a research-based and multicultural curriculum for  
25 disenfranchised communities most affected by the opportunity  
26 gap and learning loss caused by the pandemic, and by expanding

1 the teaching of African American history, developing  
2 leadership skills, and providing an understanding of the  
3 tenets of the civil rights movement. The teachers in Freedom  
4 Schools must be from the local community, with an emphasis on  
5 historically disadvantaged youth, including African American  
6 students and other students of color, so that (i) these  
7 individuals have access to summer jobs and teaching  
8 experiences that serve as a long-term pipeline to educational  
9 careers and the hiring of minority educators in public  
10 schools, (ii) these individuals are elevated as content  
11 experts and community leaders, and (iii) Freedom School  
12 students have access to both mentorship and equitable  
13 educational resources.

14 (c) A Freedom School shall intentionally and imaginatively  
15 implement strategies that focus on all of the following:

- 16 (1) Racial justice and equity.
- 17 (2) Transparency and building trusting relationships.
- 18 (3) Self-determination and governance.
- 19 (4) Building on community strengths and community  
20 wisdom.
- 21 (5) Utilizing current data, best practices, and  
22 evidence.
- 23 (6) Shared leadership and collaboration.
- 24 (7) A reflective learning culture.
- 25 (8) A whole-child approach to education.
- 26 (9) Literacy.

1 (d) The State Board of Education, in the establishment of  
2 Freedom Schools, shall strive for authentic parent and  
3 community engagement during the development of Freedom Schools  
4 and their curriculum. Authentic parent and community  
5 engagement includes all of the following:

6 (1) A shared responsibility that values equal  
7 partnerships between families and professionals.

8 (2) Ensuring that students and families who are  
9 directly impacted by Freedom School policies and practices  
10 are the decision-makers in the creation, design,  
11 implementation, and assessment of those policies and  
12 practices.

13 (3) Genuine respect for the culture and diversity of  
14 families.

15 (4) Relationships that center around the goal of  
16 supporting family well-being and children's development  
17 and learning.

18 (e) Subject to appropriation, the State Board of Education  
19 shall establish and implement a grant program to provide  
20 grants to public schools, public community colleges, and  
21 not-for-profit, community-based organizations to facilitate  
22 improved educational outcomes for African American ~~Black~~  
23 students in grades pre-kindergarten through 12 in alignment  
24 with the integrity and practices of the Freedom School model  
25 established during the civil rights movement. Grant recipients  
26 under the program may include, but are not limited to,

1 entities that work with the Children's Defense Fund or offer  
2 established programs with proven results and outcomes. The  
3 State Board of Education shall award grants to eligible  
4 entities that demonstrate a likelihood of reasonable success  
5 in achieving the goals identified in the grant application,  
6 including, but not limited to, all of the following:

7 (1) Engaging, culturally relevant, and challenging  
8 curricula.

9 (2) High-quality teaching.

10 (3) Wrap-around supports and opportunities.

11 (4) Positive discipline practices, such as restorative  
12 justice.

13 (5) Inclusive leadership.

14 (f) The Freedom Schools Fund is created as a special fund  
15 in the State treasury. the Fund shall consist of  
16 appropriations from the General Revenue Fund, grant funds from  
17 the federal government, and donations from educational and  
18 private foundations. All money in the Fund shall be used,  
19 subject to appropriation, by the State Board of Education for  
20 the purposes of this Section and to support related  
21 activities.

22 (g) The State Board of Education may adopt any rules  
23 necessary to implement this Section.

24 (Source: P.A. 101-654, eff. 3-8-21.)

1 (Section scheduled to be repealed on January 1, 2023)

2 Sec. 2-3.187. Inclusive American History Commission.

3 (a) The Inclusive American History Commission is created  
4 to provide assistance to the State Board of Education in  
5 revising its social science learning standards under  
6 subsection (a-5) of Section 2-3.25.

7 (b) The State Board of Education shall convene the  
8 Inclusive American History Commission to do all of the  
9 following:

10 (1) Review available resources for use in school  
11 districts that reflect the racial and ethnic diversity of  
12 this State and country. The resources identified by the  
13 Commission may be posted on the State Board of Education's  
14 Internet website.

15 (2) Provide guidance for each learning standard  
16 developed for educators on how to ensure that instruction  
17 and content are not biased to value specific cultures,  
18 time periods, and experiences over other cultures, time  
19 periods, and experiences.

20 (3) Develop guidance, tools, and support for  
21 professional learning on how to locate and utilize  
22 resources for non-dominant cultural narratives and sources  
23 of historical information.

24 (c) The Commission shall consist of all of the following  
25 members:

26 (1) One Representative appointed by the Speaker of the

1 House of Representatives.

2 (2) One Representative appointed by the Minority  
3 Leader of the House of Representatives.

4 (3) One Senator appointed by the President of the  
5 Senate.

6 (4) One Senator appointed by the Minority Leader of  
7 the Senate.

8 (5) Two members who are history scholars appointed by  
9 the State Superintendent of Education.

10 (6) Eight members who are teachers at schools in this  
11 State recommended by professional teachers' organizations  
12 and appointed by the State Superintendent of Education.

13 (7) One representative of the State Board of Education  
14 appointed by the State Superintendent of Education who  
15 shall serve as chairperson.

16 (8) One member who represents an ~~a~~ statewide  
17 organization that represents south suburban school  
18 districts appointed by the State Superintendent of  
19 Education.

20 (9) One member who represents a west suburban school  
21 district appointed by the State Superintendent of  
22 Education.

23 (10) One member who represents a school district  
24 organized under Article 34 appointed by the State  
25 Superintendent of Education.

26 (11) One member who represents a statewide

1 organization that represents school librarians appointed  
2 by the State Superintendent of Education.

3 (12) One member who represents a statewide  
4 organization that represents principals appointed by the  
5 State Superintendent of Education.

6 (13) One member who represents a statewide  
7 organization that represents superintendents appointed by  
8 the State Superintendent of Education.

9 (14) One member who represents a statewide  
10 organization that represents school boards appointed by  
11 the State Superintendent of Education.

12 Members appointed to the Commission must reflect the  
13 racial, ethnic, and geographic diversity of this State.

14 (d) Members of the Commission shall serve without  
15 compensation but may be reimbursed for reasonable expenses  
16 from funds appropriated to the State Board of Education for  
17 that purpose, including travel, subject to the rules of the  
18 appropriate travel control board.

19 (e) The State Board of Education shall provide  
20 administrative and other support to the Commission.

21 (f) The Commission must submit a report about its work to  
22 the State Board of Education, the Governor, and the General  
23 Assembly on or before December 31, 2021. The Commission is  
24 dissolved upon the submission of its report.

25 (g) This Section is repealed on January 1, 2023.

26 (Source: P.A. 101-654, eff. 3-8-21.)

1 (105 ILCS 5/14A-32)

2 Sec. 14A-32. Accelerated placement; school district  
3 responsibilities.

4 (a) Each school district shall have a policy that allows  
5 for accelerated placement that includes or incorporates by  
6 reference the following components:

7 (1) a provision that provides that participation in  
8 accelerated placement is not limited to those children who  
9 have been identified as gifted and talented, but rather is  
10 open to all children who demonstrate high ability and who  
11 may benefit from accelerated placement;

12 (2) a fair and equitable decision-making process that  
13 involves multiple persons and includes a student's parents  
14 or guardians;

15 (3) procedures for notifying parents or guardians of a  
16 child of a decision affecting that child's participation  
17 in an accelerated placement program; and

18 (4) an assessment process that includes multiple  
19 valid, reliable indicators.

20 (a-5) By no later than the beginning of the 2023-2024  
21 school year, a school district's accelerated placement policy  
22 shall allow for the automatic enrollment, in the following  
23 school term, of a student into the next most rigorous level of  
24 advanced coursework offered by the high school if the student  
25 meets or exceeds State standards in English language arts,

1 mathematics, or science on a State assessment administered  
2 under Section 2-3.64a-5 as follows:

3 (1) A student who meets or exceeds State standards in  
4 English language arts shall be automatically enrolled into  
5 the next most rigorous level of advanced coursework in  
6 English, social studies, humanities, or related subjects.

7 (2) A student who meets or exceeds State standards in  
8 mathematics shall be automatically enrolled into the next  
9 most rigorous level of advanced coursework in mathematics.

10 (3) A student who meets or exceeds State standards in  
11 science shall be automatically enrolled into the next most  
12 rigorous level of advanced coursework in science.

13 For a student entering grade 12, the next most rigorous  
14 level of advanced coursework in English language arts or  
15 mathematics shall be a dual credit course, as defined in the  
16 Dual Credit Quality Act, an Advanced Placement course, as  
17 defined in Section 10 of the College and Career Success for All  
18 Students Act, or an International Baccalaureate course;  
19 otherwise, the ~~The~~ next most rigorous level of advanced  
20 coursework under this subsection (a-5) may include a dual  
21 credit course, as defined in the Dual Credit Quality Act, an  
22 Advanced Placement course, as defined in Section 10 of the  
23 College and Career Success for All Students Act, an  
24 International Baccalaureate course, an honors class, an  
25 enrichment opportunity, a gifted program, or another program  
26 offered by the district.

1           A school district may use the student's most recent State  
2 assessment results to determine whether a student meets or  
3 exceeds State standards. For a student entering grade 9,  
4 results from the State assessment taken in grades 6 through 8  
5 may be used. For other high school grades, the results from a  
6 locally selected, nationally normed assessment may be used  
7 instead of the State assessment if those results are the most  
8 recent.

9           A school district must provide the parent or guardian of a  
10 student eligible for automatic enrollment under this  
11 subsection (a-5) with the option to instead have the student  
12 enroll in alternative coursework that better aligns with the  
13 student's postsecondary education or career goals.

14           Nothing in this subsection (a-5) may be interpreted to  
15 preclude other students from enrolling in advanced coursework  
16 per the policy of a school district.

17           (b) Further, a school district's accelerated placement  
18 policy may include or incorporate by reference, but need not  
19 be limited to, the following components:

20           (1) procedures for annually informing the community  
21 at-large, including parents or guardians, community-based  
22 organizations, and providers of out-of-school programs,  
23 about the accelerated placement program and the methods  
24 used for the identification of children eligible for  
25 accelerated placement, including strategies to reach  
26 groups of students and families who have been historically

1 underrepresented in accelerated placement programs and  
2 advanced coursework;

3 (2) a process for referral that allows for multiple  
4 referrers, including a child's parents or guardians; other  
5 referrers may include licensed education professionals,  
6 the child, with the written consent of a parent or  
7 guardian, a peer, through a licensed education  
8 professional who has knowledge of the referred child's  
9 abilities, or, in case of possible early entrance, a  
10 preschool educator, pediatrician, or psychologist who  
11 knows the child;

12 (3) a provision that provides that children  
13 participating in an accelerated placement program and  
14 their parents or guardians will be provided a written plan  
15 detailing the type of acceleration the child will receive  
16 and strategies to support the child;

17 (4) procedures to provide support and promote success  
18 for students who are newly enrolled in an accelerated  
19 placement program; and

20 (5) a process for the school district to review and  
21 utilize disaggregated data on participation in an  
22 accelerated placement program to address gaps among  
23 demographic groups in accelerated placement opportunities.

24 (c) The State Board of Education shall adopt rules to  
25 determine data to be collected and disaggregated by  
26 demographic group regarding accelerated placement, including

1 the rates of students who participate in and successfully  
2 complete advanced coursework, and a method of making the  
3 information available to the public.

4 (d) On or before November 1, 2022, following a review of  
5 disaggregated data on the participation and successful  
6 completion rates of students enrolled in an accelerated  
7 placement program, each school district shall develop a plan  
8 to expand access to its accelerated placement program and to  
9 ensure the teaching capacity necessary to meet the increased  
10 demand.

11 (Source: P.A. 100-421, eff. 7-1-18; 101-654, eff. 3-8-21.)

12 (105 ILCS 5/22-90)

13 (Section scheduled to be repealed on February 1, 2023)

14 Sec. 22-90. Whole Child Task Force.

15 (a) The General Assembly makes all of the following  
16 findings:

17 (1) The COVID-19 pandemic has exposed systemic  
18 inequities in American society. Students, educators, and  
19 families throughout this State have been deeply affected  
20 by the pandemic, and the impact of the pandemic will be  
21 felt for years to come. The negative consequences of the  
22 pandemic have impacted students and communities  
23 differently along the lines of race, income, language, and  
24 special needs. However, students in this State faced  
25 significant unmet physical health, mental health, and

1 social and emotional needs even prior to the pandemic.

2 (2) The path to recovery requires a commitment from  
3 adults in this State to address our students cultural,  
4 physical, emotional, and mental health needs and to  
5 provide them with stronger and increased systemic support  
6 and intervention.

7 (3) It is well documented that trauma and toxic stress  
8 diminish a child's ability to thrive. Forms of childhood  
9 trauma and toxic stress include adverse childhood  
10 experiences, systemic racism, poverty, food and housing  
11 insecurity, and gender-based violence. The COVID-19  
12 pandemic has exacerbated these issues and brought them  
13 into focus.

14 (4) It is estimated that, overall, approximately 40%  
15 of children in this State have experienced at least one  
16 adverse childhood experience and approximately 10% have  
17 experienced 3 or more adverse childhood experiences.  
18 However, the number of adverse childhood experiences is  
19 higher for Black and Hispanic children who are growing up  
20 in poverty. The COVID-19 pandemic has amplified the number  
21 of students who have experienced childhood trauma. Also,  
22 the COVID-19 pandemic has highlighted preexisting  
23 inequities in school disciplinary practices that  
24 disproportionately impact Black and Brown students.  
25 Research shows, for example, that girls of color are  
26 disproportionately impacted by trauma, adversity, and

1 abuse, and instead of receiving the care and  
2 trauma-informed support they may need, many Black girls in  
3 particular face disproportionately harsh disciplinary  
4 measures.

5 (5) The cumulative effects of trauma and toxic stress  
6 adversely impact the physical health of students, as well  
7 as their ability to learn, form relationships, and  
8 self-regulate. If left unaddressed, these effects increase  
9 a student's risk for depression, alcoholism, anxiety,  
10 asthma, smoking, and suicide, all of which are risks that  
11 disproportionately affect Black youth and may lead to a  
12 host of medical diseases as an adult. Access to infant and  
13 early childhood mental health services is critical to  
14 ensure the social and emotional well-being of this State's  
15 youngest children, particularly those children who have  
16 experienced trauma.

17 (6) Although this State enacted measures through  
18 Public Act 100-105 to address the high rate of early care  
19 and preschool expulsions of infants, toddlers, and  
20 preschoolers and the disproportionately higher rate of  
21 expulsion for Black and Hispanic children, a recent study  
22 found a wide variation in the awareness, understanding,  
23 and compliance with the law by providers of early  
24 childhood care. Further work is needed to implement the  
25 law, which includes providing training to early childhood  
26 care providers to increase their understanding of the law,

1 increasing the availability and access to infant and early  
2 childhood mental health services, and building aligned  
3 data collection systems to better understand expulsion  
4 rates and to allow for accurate reporting as required by  
5 the law.

6 (7) Many educators and schools in this State have  
7 embraced and implemented evidenced-based restorative  
8 justice and trauma-responsive and culturally relevant  
9 practices and interventions. However, the use of these  
10 interventions on students is often isolated or is  
11 implemented occasionally and only if the school has the  
12 appropriate leadership, resources, and partners available  
13 to engage seriously in this work. It would be malpractice  
14 to deny our students access to these practices and  
15 interventions, especially in the aftermath of a  
16 once-in-a-century pandemic.

17 (b) The Whole Child Task Force is created for the purpose  
18 of establishing an equitable, inclusive, safe, and supportive  
19 environment in all schools for every student in this State.  
20 The task force shall have all of the following goals, which  
21 means key steps have to be taken to ensure that every child in  
22 every school in this State has access to teachers, social  
23 workers, school leaders, support personnel, and others who  
24 have been trained in evidenced-based interventions and  
25 restorative practices:

26 (1) To create a common definition of a

1 trauma-responsive school, a trauma-responsive district,  
2 and a trauma-responsive community.

3 (2) To outline the training and resources required to  
4 create and sustain a system of support for  
5 trauma-responsive schools, districts, and communities and  
6 to identify this State's role in that work, including  
7 recommendations concerning options for redirecting  
8 resources from school resource officers to classroom-based  
9 support.

10 (3) To identify or develop a process to conduct an  
11 analysis of the organizations that provide training in  
12 restorative practices, implicit bias, anti-racism, and  
13 trauma-responsive systems, mental health services, and  
14 social and emotional services to schools.

15 (4) To provide recommendations concerning the key data  
16 to be collected and reported to ensure that this State has  
17 a full and accurate understanding of the progress toward  
18 ensuring that all schools, including programs and  
19 providers of care to pre-kindergarten children, employ  
20 restorative, anti-racist, and trauma-responsive  
21 strategies and practices. The data collected must include  
22 information relating to the availability of trauma  
23 responsive support structures in schools as well as  
24 disciplinary practices employed on students in person or  
25 through other means, including during remote or blended  
26 learning. It should also include information on the use

1 of, and funding for, school resource officers and other  
2 similar police personnel in school programs.

3 (5) To recommend an implementation timeline, including  
4 the key roles, responsibilities, and resources to advance  
5 this State toward a system in which every school,  
6 district, and community is progressing toward becoming  
7 trauma-responsive.

8 (6) To seek input and feedback from stakeholders,  
9 including parents, students, and educators, who reflect  
10 the diversity of this State.

11 (c) Members of the Whole Child Task Force shall be  
12 appointed by the State Superintendent of Education. Members of  
13 this task force must represent the diversity of this State and  
14 possess the expertise needed to perform the work required to  
15 meet the goals of the task force set forth under subsection  
16 (a). Members of the task force shall include all of the  
17 following:

18 (1) One member of a statewide professional teachers'  
19 organization.

20 (2) One member of another statewide professional  
21 teachers' organization.

22 (3) One member who represents a school district  
23 serving a community with a population of 500,000 or more.

24 (4) One member of a statewide organization  
25 representing social workers.

26 (5) One member of an organization that has specific

1 expertise in trauma-responsive school practices and  
2 experience in supporting schools in developing  
3 trauma-responsive and restorative practices.

4 (6) One member of another organization that has  
5 specific expertise in trauma-responsive school practices  
6 and experience in supporting schools in developing  
7 trauma-responsive and restorative practices.

8 (7) One member of a statewide organization that  
9 represents school administrators.

10 (8) One member of a statewide policy organization that  
11 works to build a healthy public education system that  
12 prepares all students for a successful college, career,  
13 and civic life.

14 (9) One member of a statewide organization that brings  
15 teachers together to identify and address issues critical  
16 to student success.

17 (10) One member of the General Assembly recommended by  
18 the President of the Senate.

19 (11) One member of the General Assembly recommended by  
20 the Speaker of the House of Representatives.

21 (12) One member of the General Assembly recommended by  
22 the Minority Leader of the Senate.

23 (13) One member of the General Assembly recommended by  
24 the Minority Leader of the House of Representatives.

25 (14) One member of a civil rights organization that  
26 works actively on issues regarding student support.

1           (15) One administrator from a school district that has  
2 actively worked to develop a system of student support  
3 that uses a trauma-informed lens.

4           (16) One educator from a school district that has  
5 actively worked to develop a system of student support  
6 that uses a trauma-informed lens.

7           (17) One member of a youth-led organization.

8           (18) One member of an organization that has  
9 demonstrated expertise in restorative practices.

10          (19) One member of a coalition of mental health and  
11 school practitioners who assist schools in developing and  
12 implementing trauma-informed and restorative strategies  
13 and systems.

14          (20) One member of an organization whose mission is to  
15 promote the safety, health, and economic success of  
16 children, youth, and families in this State.

17          (21) One member who works or has worked as a  
18 restorative justice coach or disciplinarian.

19          (22) One member who works or has worked as a social  
20 worker.

21          (23) One member of the State Board of Education.

22          (24) One member who represents a statewide principals'  
23 organization.

24          (25) One member who represents a statewide  
25 organization of school boards.

26          (26) One member who has expertise in pre-kindergarten

1 education.

2 (27) One member who represents a school social worker  
3 association.

4 (28) One member who represents an organization that  
5 represents school districts in ~~both~~ the south suburbs ~~and~~  
6 ~~collar counties~~.

7 (29) One member who is a licensed clinical  
8 psychologist who (A) has a doctor of philosophy in the  
9 field of clinical psychology and has an appointment at an  
10 independent free-standing children's hospital located in  
11 Chicago, (B) serves as associate professor at a medical  
12 school located in Chicago, and (C) serves as the clinical  
13 director of a coalition of voluntary collaboration of  
14 organizations that are committed to applying a trauma lens  
15 to their efforts on behalf of families and children in the  
16 State.

17 (30) One member who represents a west suburban school  
18 district.

19 (31) One member from a governmental agency who has  
20 expertise in child development and who is responsible for  
21 coordinating early childhood mental health programs and  
22 services.

23 (32) One member who has significant expertise in early  
24 childhood mental health and childhood trauma.

25 (33) One member who represents an organization that  
26 represents school districts in the collar counties.

1 (d) The Whole Child Task Force shall meet at the call of  
2 the State Superintendent of Education or his or her designee,  
3 who shall serve as ~~as~~ the chairperson. The State Board of  
4 Education shall provide administrative and other support to  
5 the task force. Members of the task force shall serve without  
6 compensation.

7 (e) The Whole Child Task Force shall submit a report of its  
8 findings and recommendations to the General Assembly, the  
9 Illinois Legislative Black Caucus, the State Board of  
10 Education, and the Governor on or before February 1, 2022.  
11 Upon submitting its report, the task force is dissolved.

12 (f) This Section is repealed on February 1, 2023.

13 (Source: P.A. 101-654, eff. 3-8-21.)

14 Section 10. The Early Intervention Services System Act is  
15 amended by changing Section 11 as follows:

16 (325 ILCS 20/11) (from Ch. 23, par. 4161)

17 Sec. 11. Individualized Family Service Plans.

18 (a) Each eligible infant or toddler and that infant's or  
19 toddler's family shall receive:

20 (1) timely, comprehensive, multidisciplinary  
21 assessment of the unique strengths and needs of each  
22 eligible infant and toddler, and assessment of the  
23 concerns and priorities of the families to appropriately  
24 assist them in meeting their needs and identify supports

1 and services to meet those needs; and

2 (2) a written Individualized Family Service Plan  
3 developed by a multidisciplinary team which includes the  
4 parent or guardian. The individualized family service plan  
5 shall be based on the multidisciplinary team's assessment  
6 of the resources, priorities, and concerns of the family  
7 and its identification of the supports and services  
8 necessary to enhance the family's capacity to meet the  
9 developmental needs of the infant or toddler, and shall  
10 include the identification of services appropriate to meet  
11 those needs, including the frequency, intensity, and  
12 method of delivering services. During and as part of the  
13 initial development of the individualized family services  
14 plan, and any periodic reviews of the plan, the  
15 multidisciplinary team may seek consultation from the lead  
16 agency's designated experts, if any, to help determine  
17 appropriate services and the frequency and intensity of  
18 those services. All services in the individualized family  
19 services plan must be justified by the multidisciplinary  
20 assessment of the unique strengths and needs of the infant  
21 or toddler and must be appropriate to meet those needs. At  
22 the periodic reviews, the team shall determine whether  
23 modification or revision of the outcomes or services is  
24 necessary.

25 (b) The Individualized Family Service Plan shall be  
26 evaluated once a year and the family shall be provided a review

1 of the Plan at 6 month intervals or more often where  
2 appropriate based on infant or toddler and family needs. The  
3 lead agency shall create a quality review process regarding  
4 Individualized Family Service Plan development and changes  
5 thereto, to monitor and help assure that resources are being  
6 used to provide appropriate early intervention services.

7 (c) The initial evaluation and initial assessment and  
8 initial Plan meeting must be held within 45 days after the  
9 initial contact with the early intervention services system.  
10 The 45-day timeline does not apply for any period when the  
11 child or parent is unavailable to complete the initial  
12 evaluation, the initial assessments of the child and family,  
13 or the initial Plan meeting, due to exceptional family  
14 circumstances that are documented in the child's early  
15 intervention records, or when the parent has not provided  
16 consent for the initial evaluation or the initial assessment  
17 of the child despite documented, repeated attempts to obtain  
18 parental consent. As soon as exceptional family circumstances  
19 no longer exist or parental consent has been obtained, the  
20 initial evaluation, the initial assessment, and the initial  
21 Plan meeting must be completed as soon as possible. With  
22 parental consent, early intervention services may commence  
23 before the completion of the comprehensive assessment and  
24 development of the Plan.

25 (d) Parents must be informed that early intervention  
26 services shall be provided to each eligible infant and

1 toddler, to the maximum extent appropriate, in the natural  
2 environment, which may include the home or other community  
3 settings. Parents shall make the final decision to accept or  
4 decline early intervention services. A decision to decline  
5 such services shall not be a basis for administrative  
6 determination of parental fitness, or other findings or  
7 sanctions against the parents. Parameters of the Plan shall be  
8 set forth in rules.

9 (e) The regional intake offices shall explain to each  
10 family, orally and in writing, all of the following:

11 (1) That the early intervention program will pay for  
12 all early intervention services set forth in the  
13 individualized family service plan that are not covered or  
14 paid under the family's public or private insurance plan  
15 or policy and not eligible for payment through any other  
16 third party payor.

17 (2) That services will not be delayed due to any rules  
18 or restrictions under the family's insurance plan or  
19 policy.

20 (3) That the family may request, with appropriate  
21 documentation supporting the request, a determination of  
22 an exemption from private insurance use under Section  
23 13.25.

24 (4) That responsibility for co-payments or  
25 co-insurance under a family's private insurance plan or  
26 policy will be transferred to the lead agency's central

1 billing office.

2 (5) That families will be responsible for payments of  
3 family fees, which will be based on a sliding scale  
4 according to the State's definition of ability to pay  
5 which is comparing household size and income to the  
6 sliding scale and considering out-of-pocket medical or  
7 disaster expenses, and that these fees are payable to the  
8 central billing office. Families who fail to provide  
9 income information shall be charged the maximum amount on  
10 the sliding scale.

11 (f) The individualized family service plan must state  
12 whether the family has private insurance coverage and, if the  
13 family has such coverage, must have attached to it a copy of  
14 the family's insurance identification card or otherwise  
15 include all of the following information:

16 (1) The name, address, and telephone number of the  
17 insurance carrier.

18 (2) The contract number and policy number of the  
19 insurance plan.

20 (3) The name, address, and social security number of  
21 the primary insured.

22 (4) The beginning date of the insurance benefit year.

23 (g) A copy of the individualized family service plan must  
24 be provided to each enrolled provider who is providing early  
25 intervention services to the child who is the subject of that  
26 plan.

1 (h) Children receiving services under this Act shall  
2 receive a smooth and effective transition by their third  
3 birthday consistent with federal regulations adopted pursuant  
4 to Sections 1431 through 1444 of Title 20 of the United States  
5 Code. Beginning July 1, 2022, children who receive early  
6 intervention services prior to their third birthday and are  
7 found eligible for an individualized education program under  
8 the Individuals with Disabilities Education Act, 20 U.S.C.  
9 1414(d)(1)(A), and under Section 14-8.02 of the School Code  
10 and whose birthday falls on or after January 1 ~~between May 1~~  
11 ~~and August 31~~ may continue to receive early intervention  
12 services until the beginning of the school year following  
13 their third birthday in order to minimize gaps in services,  
14 ensure better continuity of care, and align practices for the  
15 enrollment of preschool children with special needs to the  
16 enrollment practices of typically developing preschool  
17 children.

18 (Source: P.A. 101-654, eff. 3-8-21.)".